

INTERNATIONAL SEARCH REPORT

International application No.

PCT/JP03/16655

A. CLASSIFICATION OF SUBJECT MATTER

Int.Cl⁷ C07K14/47, C12N15/12, C12P21/02, C12Q1/68, C07K16/18,
A01K67/027, C12N5/10, G01N33/15, G01N33/50, A61K31/711,
A61K38/17, A61K39/395, A61P35/00

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

Int.Cl⁷ C07K14/47, C07K14/705, C12N15/12

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)
JICSTPLUS, WPI (DIALOG), BIOSIS (DIALOG), PUBMED,
EMBL/DBBJ/Genbank/PIR/Swissprot/Geneseq

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
<u>X</u> A	WO 02/52005 A1 (Kazusa DNA Research Institute Foundation), 04 July, 2002 (04.07.02), & US 2002/0192748 A1 & AU 200280608 A (Claims; pages 12 to 18; sequence listing, sequence No. 31)	1,3-5,8-19, 21-24,31-32 2,6-7,25-27, 29-30,33-35
<u>X</u> A	WO 00/78961 A1 (GENENTECH, INC.), 28 December, 2000 (28.12.00), & AU 200028837 A (Claims; pages 180 to 182, 355; Figs. 141, 142; sequence listing, sequence Nos. 252, 253)	1,3-5,8-19, 21-24,31-32 2,6-7,25-27, 29-30,33-35

☒ Further documents are listed in the continuation of Box C.

☐ See patent family annex.

* Special categories of cited documents:

"A" document defining the general state of the art which is not considered to be of particular relevance

"E" earlier document but published on or after the international filing date

"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

"O" document referring to an oral disclosure, use, exhibition or other means

"P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art

"&" document member of the same patent family

Date of the actual completion of the international search
28 January, 2004 (28.01.04)

Date of mailing of the international search report
10 February, 2004 (10.02.04)

Name and mailing address of the ISA/
Japanese Patent Office

Authorized officer

Facsimile No.

Telephone No.

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C (Continuation). DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO 00/12708 A2 (GENENTECH, INC.), 09 March, 2000 (09.03.00), & AU 9955908 A & ZA 200101180 A & EP 1144629 A2 & US 6144037 A & JP 2002-526075 A & JP 2003-518361 A & KR 2003000010 A & MX 2001002238 A1 (Claims; pages 22, 183 to 185; Figs. 141, 142; sequence listing, sequence Nos. 252, 253)	1-19, 21-27, 29-35
X A	WO 02/46465 A2 (OXFORD BIOMEDICA LTD.), 13 June, 2002 (13.06.02), & US 2003/0203372 A1 & AU 200220920 A (Claims; page 256; sequence listing, sequence Nos. 91, 92)	1, 3-5, 8-19, 21-24, 31-32 2, 6-7, 25-27, 29-30, 33-35
X	WO 01/68848 A2 (GENENTECH, INC.), 20 September, 2001 (20.09.01), & AU 200168028 A & US 2002/0090681 A1 & EP 1259614 A2 (Claims 22 to 23; pages 32, 132; Figs. 453, 454; sequence listing, sequence Nos. 453, 454)	1-19, 21-27, 29-35
X	WO 01/77137 A1 (HUMAN GENOME SCIENCES, INC.), 18 October, 2001 (18.10.01), & AU 200033868 A & EP 1173456 A1 (Claims; page 150; sequence listing, sequence No. 1271)	1-19, 21-27, 29-35
X	WO 01/36440 A1 (HUMAN GENOME SCIENCES, INC.), 25 May, 2001 (25.05.01), & AU 200119186 A & EP 1235838 A1 & JP 2003-514543 A (Claims; pages 9 to 13, 94 to 102; sequence listing, sequence Nos. 11, 64)	1-19, 21-27, 29-35
X A	WO 02/06329 A2 (CURAGEN CO.), 24 January, 2002 (24.01.02), & AU 200180608 A & US 2002/0192748 A1 (Claims; pages 51 to 58; sequence listing, sequence Nos. 17, 18)	1, 3-5, 8-19, 21-24, 31-32 2, 6-7, 25-27, 29-30, 33-35

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Box I Observations where certain claims were found unsearchable (Continuation of item 2 of first sheet)

This international search report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☒ Claims Nos.: 20, 37-40

because they relate to subject matter not required to be searched by this Authority, namely:

The inventions according to claims 20 and 37 to 40 pertain to diagnostic methods or therapeutic methods and thus relate to a subject matter which this International Searching Authority is not required, under the provisions of Article 17(2)(a)(i) of the PCT and Rule 39.1(iv) (continued to extra sheet)

2. ☒ Claims Nos.: 28, 36, 41, 42

because they relate to parts of the international application that do not comply with the prescribed requirements to such an extent that no meaningful international search can be carried out, specifically:

It is completely unknown what specific compounds are involved in the scope of the substances inhibiting the expression of a peptide, a gene, etc. as set forth in claims 28, 36, 41 and 42 and what are not. Thus, the above claims are described in an extremely unclear manner. (Continued to extra sheet.)

3. ☐ Claims Nos.:

because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box II Observations where unity of invention is lacking (Continuation of item 3 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

1. ☐ As all required additional search fees were timely paid by the applicant, this international search report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this international search report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this international search report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest ☐ The additional search fees were accompanied by the applicant's protest.

☐ No protest accompanied the payment of additional search fees.

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Continuation of Box No. I-1 of continuation of first sheet(1)

of the Regulations under the PCT, to search.

Continuation of Box No. I-2 of continuation of first sheet(1)

Such being the case, no meaningful opinion can be presented concerning the novelty, inventive step and industrial applicability of the inventions according to the above claims and claims depending thereon.